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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,514	11/02/2001	Charles Elkan	117-001	4605

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EXAMINER
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NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 04/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/004,514

Applicant(s)

ELKAN, CHARLES

Examiner

Cam-Linh T. Nguyen

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

2. The abstract of the disclosure is objected to because the abstract is not in a narrative paragraph form. The abstract should be in one paragraph only. Correction is required. See MPEP § 608.01(b).

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1 – 30 are rejected under 35 U.S.C. 102(e) as being anticipated by Agrawal et al (U.S. 6,233,575).

♦ As per claim 4, 16,

Agrawal et al [Agrawal] discloses a method of obtaining and automatically associating a value to an item of data comprising:

- "Obtaining at least one item of data from a source" See col. 10, lines 24 - 37
- "Obtaining labels for at least one of said item of data" See col. 10, lines 12 - 22.

As defined in the disclosure page 15, labels are provided by human and indicate level of quality, interestingness. Agrawal teaches that the documents are classified in a hierarchical order (see Fig. 2), which includes a plurality of levels of quality. Therefore, the "labels" corresponds to the "categories label" or "topics labels" of the resources.

- "Selecting items of data with certain labels to form training data" See col. 10, lines 38 - 46.
- "Creating a profile from said training data" See fig. 3, element 49. The "profile" corresponds to the "class models" and the "statistic information" (See col. 11, lines 20 - 25).

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- "Associating a value to at least one of said items of data using said profile" See col. 9, lines 4 – 12.

◆ As per claim 5, 17,

- "Receiving requests from clients" See col. 9, lines 35 – 38.
- Transmitting at least one item of data according to said request and said associated values to said client" See col. 9, lines 40 – 49.

◆ As per claim 6, 18,

- "Introducing at least one new item of data to said training data and generating a new profile from said training data" See Fig. 4, element 62, 66.

◆ As per claim 7,

- "Profile is automatically generated" See Fig. 4, element 68

◆ As per claim 8,

- "Value is an estimate of said label, for items without said label" see col. 11, lines 64 - 67

◆ As per claim 9 - 11, 19 – 22, 30,

- " Profile specifies said associated value based on low-level ... length, vocabulary" See col. 12, lines 60- col. 13, lines 5.
- "Value is measured on a quantitative scale of measurement" See col. 9, lines 4 – 12.

◆ As per claim 12 - 13, 23 – 24, 26 – 27, 2 – 3,

- "Storing said items of data in a database" and "Storing said associated values in a database" See col. 8, lines 30 – 36.

♦ As per claim 14 - 15,

- "Obtaining labels ... is accomplished by a human providing said labels" Agrawal teaches that the documents are classified in a hierarchical order (see Fig. 2), which includes a plurality of levels of quality. Therefore, the "labels" corresponds to the "categories label" or "topics labels" of the resources.

♦ As per claim 25, 28 - 29,

Claims 25, 28 - 29 are rejected based on the rejection of claims 4 - 5, and 9.

♦ As per claim 1,

With all limitation as claimed in claim 4, further claim 1 comprising a "downloading component for obtaining item data" See col. 10, lines 30 - 37

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

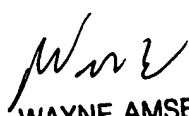
- Kelly Wical (U.S. 6,460,034) discloses a document knowledge base research and retrieval system.
- Hajime Takano (U.S. 5,983,246) discloses a distributed document classifying system.
- Joaquin M. Marques (U.S. 6,182,066) discloses a category processing of query topic and electronic document content topics.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is 305-1951. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN

  
WAYNE AMSBURY  
PRIMARY PATENT EXAMINER